Court of Appeals, State of Michigan

ORDER

People of MI v David Lee Colbath

David H. Sawyer Presiding Judge

Docket No.

251686

Janet T. Neff

LC No.

02-006903-FH

Joel P. Hoekstra Judges

The Court orders that the February 6, 2004, order granting defendant's application for leave to appeal is VACATED and the application for leave to appeal is DENIED for lack of merit in the grounds presented. The defendant at this time does not have the right to appellate counsel. See *People v Harris*, 470 Mich 882 (2004).

Presiding Judge

COURT OF APPEALS

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 1 1 2005

Date

Leidra Schultz Merogl
Chief Clerk